

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Kristine Hansen, Project Manager

Public Notice Date: February 1, 2006 Expiration Date: March 3, 2006

Reference: 200501094

Name: Hurst, Tom

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Tom Hurst

4750 Hurst Landing

Rock Island, Washington 98850 Telephone: (509) 884-7163

AGENT:

The Watershed Company

1410 Market Street

Kirkland, Washington 98033

ATTN: Mr. Dan Nickel Telephone: (425) 822-5242

LOCATION: In the Columbia River, near Rock Island, Douglas County, Washington.

WORK: Construct a joint-use 1,444 square foot pier, drive eight 6 inch steel piles and place 18 cubic yards of pea gravel waterward of the ordinary high watermark.

PURPOSE: Boat moorage, recreation access to the Columbia River and to enhance juvenile fish habitat.

MITIGATION: As part of the original application, the applicant voluntarily submitted a mitigation plan designed to compensate for 1,444 square feet of shading. The applicant proposes to plant 2,500 square feet of vegetation along the shoreline and place 18 cubic yards of pea gravel to enhance juvenile fish habitat.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The bald eagle (Haliaeetus leucocephalus), threatened; Columbia River bull trout (Salvelinus confluentus), threatened; upper Columbia River spring Chinook (Oncorhynchus tshawytscha), endangered; upper Columbia River steelhead (Oncorhynchus mykiss), endangered; and Ute ladies'-tresses (Spiranthes diluvialis), threatened, in the state of Washington, may occur in the proposed project area. For Upper Columbia River spring Chinook and Upper Columbia River steelhead critical habitat has been designated. A preliminary determination indicates that the activity will have no effect on Ute ladies' tresses; may affect, but is not likely to adversely affect Bald eagle or Columbia River bull trout; and the activity may affect, but is likely to adversely affect Upper Columbia River spring Chinook and Upper

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Columbia River steelhead, and their critical habitat, designated under the Endangered Species Act of 1973. Informal and formal consultation under Section 7 of the ESA has been initiated with the USFWS and the NMFS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 0.03 of an acre of EFH for Pacific salmon, in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

<u>EVALUATION</u>: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

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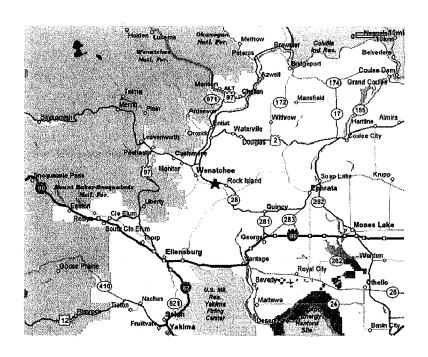
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

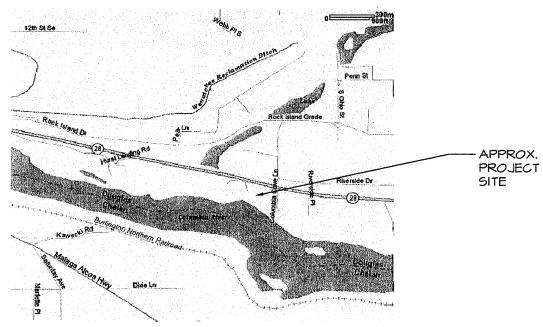
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Kristine.S.Hansen@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail and e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Hurst, Tom; 200501094

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Encl Drawings (8)





VICINITY MAP SCALE: NTS



PRESENTED BY:



The Watershed Company 1410 Market Street Kirkland, WA 98033 425.822.5242 Fax: 425.827.8136

PURPOSE: INSTALL NEW DOCK AND REVEGETATE SHORELINE

DATUM: NVGD 29

ADJACENT PROPERTY OWNERS:

I. MARK AND NANCY MARLOW, 5050 STATE ROUTE 28, ROCK ISLAND, WA, 98850

2. PETER AND APRIL NOLEN

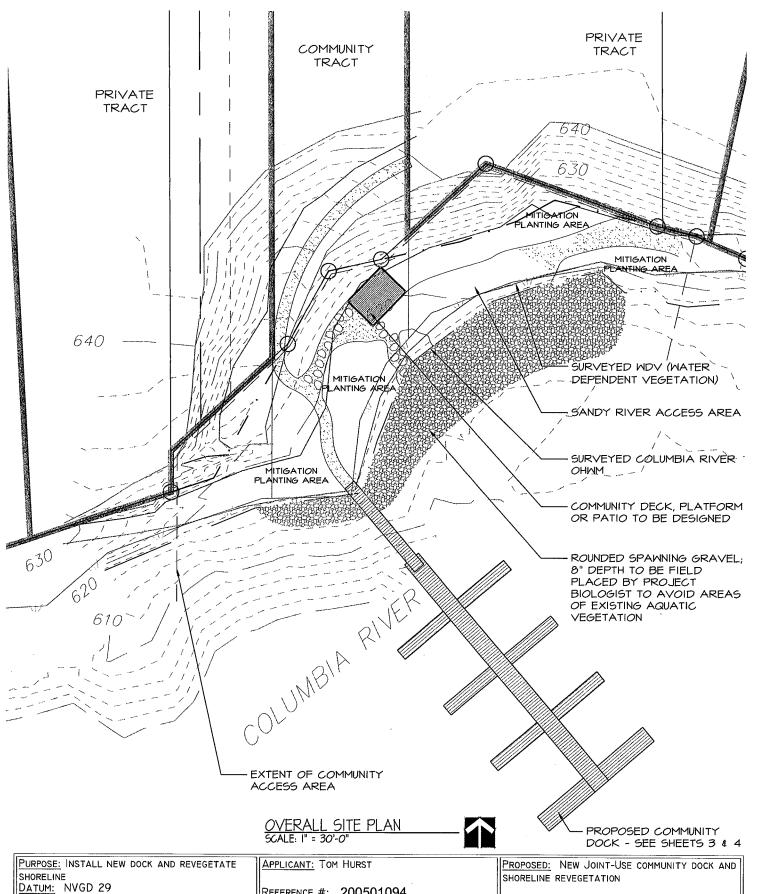
APPLICANT: TOM HURST

REFERENCE #: 200501094

SITE LOCATION ADDRESS: HURST LANDING ROAD ROCK ISLAND, WA 98850 PROPOSED: NEW JOINT-USE COMMUNITY DOCK AND SHORELINE REVEGETATION

IN: COLUMBIA RIVER AT: ROCK ISLAND, WA

COUNTY: DOUGLAS STA SHEET: I OF 8 DATE: SEPTEMBER 2, 2005 STATE: WA



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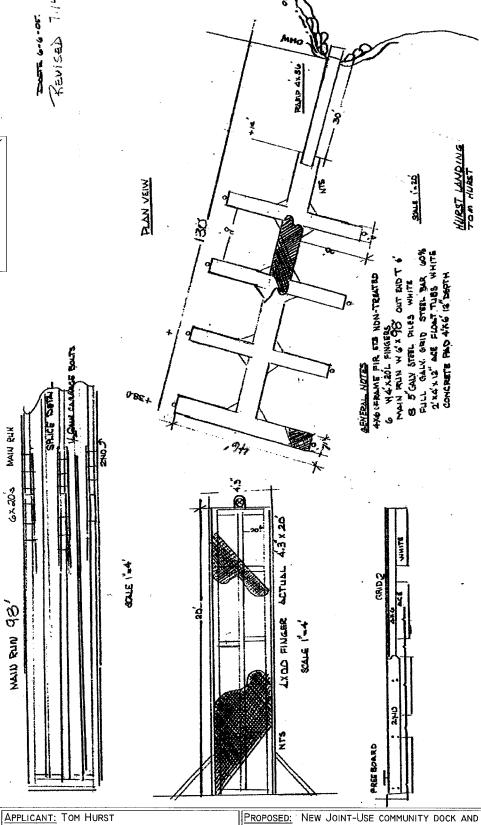
REFERENCE #: 200501094

SITE LOCATION ADDRESS: HURST LANDING ROAD ROCK ISLAND, WA 98850 IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA COUNTY: DOUGLAS

STATE: WA SHEET: 2 OF 8 DATE: SEPTEMBER 2, 2005

DOCK DRAWING PROVIDED BY NORDIC MARINE FLOATS OF ALASKA, INC. 604 CEDAR AVE MARYSVILLE, WA 98270 360.653.1295 800.850.3625



PURPOSE: INSTALL NEW DOCK AND REVEGETATE SHORELINE

DATUM: NVGD 29

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MARK AND NANCY MARLOW, 5050 STATE ROUTE 28, ROCK ISLAND, WA, 98850

2. PETER AND APRIL NOLEN

REFERENCE #: 200501094

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IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA

COUNTY: DOUGLAS STA SHEET: 3 OF 8 DATE: SEPTEMBER 2, 2005 STATE: WA

20-01-01 STACT REVISED

Hurst Landing
Tom Hurst
4750 Hurst Landing Road
Rock Island, WA 98850
Proposed: 12 Slip Marina

Date:

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Sheet

DOCK DRAWING PROVIDED BY NORDIC MARINE FLOATS OF ALASKA, INC. 604 CEDAR AVE MARYSVILLE, WA 98270 360.653.1295 800.850.3625

<u>Purpose:</u> Install new dock and revegetate shoreline

DATUM: NVGD 29

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APPLICANT: TOM HURST

REFERENCE #: 200501094

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IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA

COUNTY: DOUGLAS STATE: WA

DATE: SEPTEMBER 2, 2005

Restoration Summary

The shoreline area surrounding the proposed community use property will be planted with native trees, shrubs and groundcovers to prevent erosion and provide fish and wildlife habitat. The plants will be field placed to provide appropriate micro-conditions and to leave openings for human access to the proposed dock. All existing native vegetation which is to remain will be protected during construction.

Approval

implementation of these plans requires review and approval by the US Army Corps of Engineers, the Washington Department of Fish and Wildlife, Washington Department of Ecology, and Douglas County.

Supervision

A biologist or the designing landscape architect that is familiar with this plan and its intent shall be on hand to inspect and approve all plant materials and to approve final placement of installed vegetation.

Sequencing

- 1. Install silt fencing waterward of the limit of work, and flag or otherwise clearly identify vegetation to be retained (e.g., red-osier dogwood, weeping willows).
- 2. Establish planting area boundaries as shown on the plan.
- 3. Loosen any compacted soils in the planting area with a shovel, pick or rock bar.
- 4. Plant the area indicated on the planting plan with the native tree, shrub and groundcover species shown per plan. Adjust plantings as needed to place in suitable micro-condition and to allow paths for dock access. Exposed soils should be hydroseeded with a sterile erosion-controlling grass seed mixture (ReGreen or its equivalent) or mulched if restoration plantings are not installed immediately.
- 5. Apply a tree-based fertilizer to tree plantings. Apply slow-release, granular fertilizer such as OsmocoteTM or equal product to shrub and groundcover plantings one year after initial planting. Follow manufacturer's instructions for all fertilizer applications. Keep fertilizer in weather-tight containers while on site.
- 6. Water individual plants with 2 inches of water immediately after planting to eliminate air pockets and to ensure root to soil contact. Provide temporary irrigation system to supply a minimum of 2 inches of water per week from June through September for the first two years following installation. Continue to irrigate installed plants as necessary until established and thriving.
- 7. After plants have been installed, place a 4-inch-deep mulch layer in an 18-inch-diameter ring around trees and shrubs and a 12-inch-diameter ring around groundcover in order to control weeds and aid in soil moisture retention.
- 8. Survival in a healthy condition is to be guaranteed for all of the planted specimens through their entire first growing season. A post-construction acceptance inspection is to be made within 6 to 10 months following the initial dormant season planting and any dead, missing, or unhealthy specimens are to be replaced. Replacement is to occur during the then-upcoming dormant season.

Objectives and Performance Standards

The following objectives and performance standards have been established to measure the success of this plan. Success will be monitored according to methodology that is outlined in the following "Monitoring and Maintenance" section.

Objective 1: Native tree, shrub, and/or groundcover vegetation communities will be established in the planting areas within five years after planting.

Performance Standard 1: Within the planting areas, all plantings will meet a 100 percent survival standard after one year (to be guaranteed by the contractor acquiring and installing the plants), and an 80 percent survival standard after five years, with additional planting if these standards are not met. Weedy cover by species listed by the Washington State Noxious Weed Board as Class A, Class B, or Class C weeds may not exceed 10 percent coverage within the planting areas.

Monitoring and Maintenance

The installed vegetation community will be monitored for five years after initial installation. Prior to the first monitoring visit, an As-Built Plan/Report will be prepared that documents the implementation of the restoration plan. Any minor changes to the approved restoration plan that are required by field conditions present during plan implementation must be documented on the As-Built Plan/Report and submitted to the US Army Corps of Engineers and Douglas County for approval. The monitoring period begins once the As-Built Plan/Report has been approved by these agencies. The approved As-Built Plan/Report then becomes the approved restoration plan for future inspection purposes. Monitoring visits in Years 1 through 5 shall occur between June 15 and September 1.

During each monitoring visit, color photographs will be taken from points to be identified on the As-Built Plan that provide complete coverage of the restoration area. In addition, the planting area will be examined and the following items noted:

- 1) the percent survival of each planted species (as measured in a 10-foot-wide belt along four 50-foot-long transects established during As-Built Plan/Report preparation);
- 2) an estimate of percent cover (native woody species, native herbaccous species, and non-native/invasive species);
- 3) the species composition, noting whether a species is native or exotic and whether plants present were planted or are volunteers; and
- 4) the general health of vegetation, noting whether pests or disease are present.

Following each year's monitoring visit, a short letter-style report shall be prepared detailing the findings of the visit. This report shall include information on the survival, percent cover, and condition of the installed plants; photographs of the site; a discussion of invasive weed cover in the planting areas; and any recommendations for maintenance. This report shall be submitted to Douglas County, the U.S. Army Corps of Engineers, and the property owners within a month's time of each year's monitoring visit. The property owners shall address all maintenance and repair recommendations within four months of receiving each monitoring report, and shall forward a memo to the Corps and Douglas County detailing any actions that were taken.

Maintenance: This project will include at least one maintenance visit per year, to be arranged for by the property owners, for five years following implementation of the revegetation plan. During these maintenance visits, the installed planting areas will be weeded by hand to remove any new shoots of non-native and/or invasive vegetation that are emerging. Maintenance visits will occur in August.

During the first and second summer following plant installation (Years 1 & 2), plantings in the revegetation area will be supplied with a minimum of 2 inches of water per week from May through September. Further, if plants appear to be stressed due to drought during the third summer after plant installation (Year 3), two inches of water per week should again be supplied from June through September.

Additional maintenance visits may also be required to respond to other monitoring recommendations.

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APPLICANT: TOM HURST

REFERENCE #: 200501094

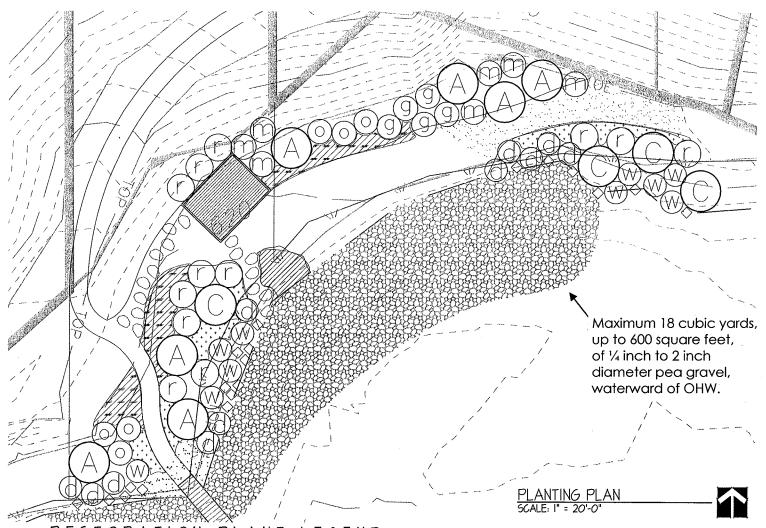
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IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA

COUNTY: DOUGLAS STATE: WA SHEET: 5 OF 8

DATE: SEPTEMBER 2, 2005



RESTORATION PLANT LEGEND:

_	TREES / SHRUBS: BOTANICAL NAME / COMMON NAME	SIZE	<u>QTY.</u>		
(A)	ALNUS TENUIFOLIA / MOUNTAIN ALDER	3'-4'	7	ALL TREES	
C	CRATAEGUS COLUMBIANA / COLUMBIA HAMTHORN	3'-4'	4	CONTAINERIZED, WELL BRANCHED AND VIGOROUS	
9	BERBERIS AQUIFOLIUM / OREGON GRAPE	2'-3'	5	ALL SHRUBS CONTAINERIZED.	
(1)	CORNUS STOLONIFERA / RED TWIG DOGWOOD	2'-3'	10	MELL BRANCHED AND VIGOROUS	
\odot	HOLODISCUS DISCOLOR / OCEAN SPRAY	2'-3'	6	AND VIGOROUS	
\bigcirc	PHILADELPHUS LEWISII / MOCK ORANGE	2'-3'	7		,
	RHUS GLABRA / SMOOTH SUMAC	2'-3'	12		SEE NEXT SHEET FOR PLANTING
\otimes	SALIX EXIGUA / COYOTE WILLOW	2'-3'	H		SPECIFICATIONS AND DETAILS
	GROUNDCOVER: BOTANICAL NAME / COMMON NAME	SIZE	QTY.	<u>SPACING</u>	
	BALSAMORHIZA SAGITTATA / ARROW-LEAF BALSAMROOT	4" POTS	72	24" O.C.	
	IRIS MISSOURIENSIS / WILD IRIS	4" PÓTS	42	18" O.C.	
	LUPINUS ARIDUS / DRY-GROUND LUPINE	4" POTS	50	24" O.C.	
	EMERGENTS: BOTANICAL NAME / COMMON NAME	SIZE	<u>QTY.</u>		
\Diamond	SCIRPUS ACUTUS / HARD-STEM BULRUSH 3 PER SYMBOL	IO CU. IN. POTS	57		

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 PETER AND APRIL NOLEN APPLICANT: TOM HURST

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IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA

COUNTY: DOUGLAS STATE: WA SHEET: 6 OF 8

DATE: SEPTEMBER 2, 2005

PLANT INSTALLATION SPECIFICATIONS

Note: These specifications are a legally binding contract.

GENERAL NOTES

Quality Assurance

Plants shall meet or exceed the specifications of Federal, State, and local laws requiring inspection for plant disease and insect control.

- 2. Plants shall be healthy, vigorous, and well-formed, with well developed, fibrous root systems, free from dead branches or roots. Plants shall be free from damage caused by temperature extremes, lack or excess of moisture, insects, disease, and mechanical injury. Plants in leaf shall be well foliated and of good color. Plants shall be habituated to the outdoor environmental conditions into which they will be planted (hardened-off).
- 3. Trees with damaged, crooked, multiple or broken leaders will be rejected. Woody plants with abrasions of the bark or sunscald will be rejected.

Substitutions

- 1. It is the contractor's responsibility to obtain specified materials in advance if special growing, marketing or other arrangements must be made in order to supply specified materials
- 2. Substitution of plant materials not on the project list will not be permitted unless authorized in writing by the project Biologist or Landscape Architect from the Watershed Companu
- 3. If proof is submitted that any plant material specified is not obtainable, a proposal will be considered for use of the nearest equivalent size or alternative species, with corresponding adjustment of contract price.
- 4. Such proof will be substantiated and submitted in writing to the consultant at least 30 days prior to start of work under this section.

Inspection

- 1. Plants shall be subject to inspection and approval by the project Biologist or Landscape Architect from the Watershed Company for conformance to specifications, either at time of delivery on-site or at the grower's nursery. Approval of plant materials at any time shall not impair the subsequent right of inspection and rejection during progress of the work.
- 2. Plants inspected on site and rejected for not meeting specifications must be removed immediately from site or red-tagged and removed as soon as possible.
- 3. The project Biologist or Landscape Architect from the Watershed Company may elect to inspect plant materials at the place of growth. After inspection and acceptance, the project Biologist or Landscape Architect from the Watershed Company may require the inspected plants be labeled and reserved for project. Substitution of these plants with other individuals, even of the same species and size, is unacceptable.

SUBMITTALS

Product Certificates

- 1. Plant Materials List Submit documentation to consultant at least 30 days prior to start of work under this section that plant materials have been ordered. Arrange procedure for inspection of plant material with consultant at time of submission.
- 2. Have copies of vendor's or growers' invoices or packing slips for all plants on site during installation. Invoice or packing slip should list species by scientific name, quantity, and date delivered (and genetic origin if that information was previously requested).

DELIVERY, HANDLING, & STORAGE

Notification: Contractor must notify consultant 48 hours or more in advance of deliveries so that consultant may arrange for inspection.

Plant Materials

- Transportation During shipping, plants shall be packed to provide protection against climate extremes, breakage and drying. Proper ventilation and prevention of damage to bank, branches, and root systems must be ensured.
- 2. Scheduling and storage Plants shall be delivered as close to planting as possible. Plants in storage must be protected against any condition that is detrimental to their continued health and vigor.
- 3. Handling Plant materials shall not be handled by the trunk, limbs, or foliage but only by the container, ball, box, or other protective structure, except bareroot plants shall be kept in bundles until planting and then handled carefully by the trunk or stem.
- 4. Labels Plants shall have durable, legible labels stating correct scientific name and size. Ten percent of container grown plants in individual pots shall be labeled. Plants supplied in flats, racks, boxes, bags, or bundles shall have one label per group.

MARRANTY

Plant Warrantu

Plants must be guaranteed to be true to scientific name and specified size, and to be healthy and capable of vigorous growth. Replacement

- Plants not found meeting all of the required conditions must be removed from site and replaced immediately at the consultant's discretion.
- Plants not surviving after one year to be replaced.

PLANT MATERIAL

General

- Plants shall be nursery grown in accordance with good horticultural practices under climatic conditions similar to or more severe than those of the project site.
- 2. Plants shall be true to species and variety or subspecies. No cultivars or named varieties shall be used unless specified as such.

Quantities: See plant list on accompanying plans.

Root treatment

- 1. Container grown plants (includes plugs): Plant root balls must hold together when the plant is removed from the pot, except that a small amount of loose soil may be on the top of the rootball.
- 2. Plants must not be root-bound; there must be no circling roots present in any plant inspected.
- 3. Rootballs that have cracked or broken when removed from the container shall be rejected.

SEE NEXT SHEET FOR PLANTING DETAILS

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APPLICANT: TOM HURST

REFERENCE #: 200501094

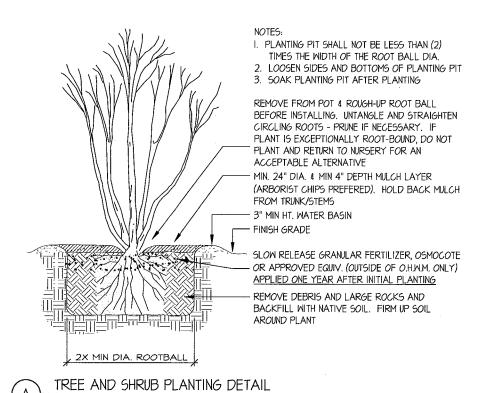
SITE LOCATION ADDRESS: HURST LANDING ROAD ROCK ISLAND, WA 98850

PROPOSED: NEW JOINT-USE COMMUNITY DOCK AND SHORELINE REVEGETATION

IN: COLUMBIA RIVER

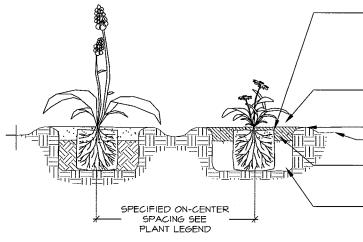
AT: ROCK ISLAND, WA COUNTY: DOUGLAS STATE: WA

SHEET: 7 OF 8 DATE: SEPTEMBER 2, 2005



NOTES:

- I. PLANTING PIT SHALL NOT BE LESS THAN (2) TIMES THE WIDTH OF THE ROOT BALL DIA.
- 2. LOOSEN SIDES AND BOTTOMS OF PLANTING PIT
- 3. SOAK PLANTING PIT AFTER PLANTING



REMOVE FROM POT & ROUGH-UP ROOT BALL BEFORE INSTALLING. UNTANGLE AND STRAIGHTEN CIRCLING ROOTS - PRUNE IF NECESSARY. IF PLANT IS EXCEPTIONALLY ROOT-BOUND, DO NOT PLANT AND RETURN TO NURSERY FOR AN ACCEPTABLE ALTERNATIVE

MIN. 18" DIA. & MIN 4" DEPTH MULCH LAYER (ARBORIST CHIPS PREFERED). HOLD BACK MULCH FROM STEMS

3" MIN HT. WATER BASIN FINISH GRADE

SLOW RELEASE GRANULAR FERTILIZER, OSMOCOTE OR APPROVED EQUIV. (OUTSIDE OF O.H.W.M. ONLY) APPLIED ONE YEAR AFTER INITIAL PLANTING

REMOVE DEBRIS AND LARGE ROCKS AND BACKFILL WITH NATIVE SOIL. FIRM UP SOIL AROUND PLANT

PERENNIAL AND GROUNDCOVER PLANTING

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IN: COLUMBIA RIVER

AT: ROCK ISLAND, WA

COUNTY: DOUGLAS

STATE: WA SHEET: 8 OF 8

DATE: SEPTEMBER 2, 2005



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for Water Quality Certification

Date: February 1, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501094 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600